G R S IX 5]

Previous references Preserve

19 30

File No Mc C 44-3.

Serial Nos 3, 5, 9, 14

Later references (Municipal)

Mcl 44-30 (92)
2 ne 44-30 (120, 147)
62-33 (5 to 8)
Jul 1 63 32 St 2

PRESERVED

GENERAL AND REVENUE SECRETARIAT.

Serial Nos 3, 5, 9, 14

Part B for August '30

SUBJECT

Election of Presidents & Vice Presidents for municipalities

G O No 85-29 of 22-7-30 directs that ex officio Members shall not make both that this does not apply to the Deputy Commissioner or Assistant Secretary as President of the Municipality

22 7 30

General and Revenue Secretariat — File No 44 of 1930

Serial No 3

Do Letter No C 2-6620-28 Dy 1/1/30 from the D.C Bangalore Enquires whether there are any standing orders re Ex officio members voting at the election of Presidents & Vice Presidents & rural cls

Send with the reference quoted in the letter under the existing rules ex officio members are not precluded from voting at the election of Presidents & Vice Presidents to rural cls In the case of D.L.Bds ~~the~~ same it has been considered undesirable that ex officio members should vote at such elections & instructions were accordingly issued in letter No L8665-72 LSG 114-29-Dy Dy 28-5-30

Hdq T Para 8 LSG 114-29

B

2 The Secretary's note Dy 13-5-30 applies to all Local Bodies & as such the instructions dated 28-5-30 seem to be applicable to Taluk also If approved a reply may be sent accordingly Sd/- 2nd Member

5/6/30

19/7

Note—Contn Sheet

They may be instructed 19.7.30

I—GPB—10 000—28 4 30

Serial No

3 Draft G O prepared on the lines of the Dist Bd Elections

For perusal before issue

Gen Secy) VS 21 7 30

RR 22/7/30

Issue today -

Also a draft D O L. to Mr H C Subbarao

VS 22 7 30

DO Note 860 Dy 22 7 30 and issued

VS

Press Sec No 11/30-5

G O Mis No 852-9 Dy 22 7 30

Directs that ex officio members of Municipalities shall not vote at elections of Presidents & Vice Presidents of Municipalities that this does not apply to the Dy Commr or Asst Commr presiding under Section 23 (5) of the Mun Regn

Letter Dy 30-7-30 from Mr G Dr S Nagarayarao Municipal Commissioner enquiring if the ex officio President can exercise his casting vote at the election of Vice President under Section 23(5)

11

Note—Contn Sheet

General and Revenue Secretariat

File No 44 of 193 (4)

Serial No

OFFICE OF THE S C 1 AUG 1930 No 1007

The question asked is whether an ex-officio Pradhan can vote at the election of the Vice-Pradhan. This case does not fall under Sec 23(5) and so the Pradhan can not vote at the election under the instructions already issued.

A draft reply is submitted for approval before Issue

DS 1/8/30

2nd Member)

CSJ 2/8

Issue

DS 2 8 30

14 Mr D S Nagaraja Rao Devarahalli - Note 1227 Dy 6-8-30 States that Section 23(5) does not apply to Devarahalli and that instructions have been issued to the effect that Pradhan has to vote at the election & have

Note—Contn Sheet

WD 02328—GPB—10 000—22 4 30

ML File No 44 of 1930

General and Revenue Secretariat

Serial No

Work 1228 Dg 6 8 30 cons to be B'lore

Work 1229-35 Dg 6 8 30 cons to either Dr occurs

B3
278 "
Dg

=

Note–Contn Sheet

12220

A-S.
L-S-G

Voting at Election of—

(a) Presd of Municipal Councils—

Do the Armenians take part? Have any promises been made that the Govt will—

RG
6/9/30

2)

(a) yes

(b) NO — I gather that a promise
3) has been made during the discussion on the walk that
RG
6/9/30

4) Please put up [illegible]

[illegible]
6/9/30

5) [illegible]

Autel-Session of June 1929 before
~~last Sept~~, the ~~last~~ Last Second Num-
ber of Council explained that it was
considered necessary to require
District Ecclesiastical Superintendents
to attend attend and speak at
any meeting of the District Board
or Committee and also to provide
2 for the inclusion of any other
Officers or Officers who might be
notified by Govt from time to time
Such Officers would however have
no power to vote (Vide ~~7th~~ Page
25 of last R A Progs pub'n)

E

9/9/30 b) Please see the second
Minutes appearing
at page 23 of the R A Progs for
June 1929 This authority
was given by some non-Offr
Gentleman who had an
interview from the Govt Secy
when the question of limiting
the powers of the Offrs to vote at
meetings of Boards and the Boards
was under consideration
The restriction of the number
does not appear to have been
carried into effect.

In a petition had for
a reconsideration of the
present orders, the Govt Secy has
been instructed [illegible]

1220

GRS III—31

Routine Notes.

[To be used only for notes requisitions etc not intended for permanent record.]

Further action to amend
the existing order will
be taken on return of
the file from the Lawsuit

DS
8/9/30

Gen Secy
9 9 30

1-5-2 Pr 7)
This should be
done early
Keep us
informed

RR
10/9/30

DS
8/9/30

RR
10/9/30

Pur SS

S) Please remind the DRO to Lawsuit
and return this to me

DS 10/9/30

DRO 1044
Lawsuit 419

N B —Should routine notes be written on small slips the notes must be copied on slips pasted on this form

GRS III—3]

Routine Notes

[To be used only for notes requisitions etc not intended for permanent record]

N B —Should routine notes be written on small slips the notes must be copied or slips pasted on this form

Mr 44-30-28

Pet No 390

OFFICE OF THE DEWAN OF MYSORE

Bangalore dated 26 - 8 1930

The accompanying petition addressed to the Dewan is forwarded with compliments to the Secretary to Government General Department

GEN SECTT
1074
1 S T 1930
L S G BRANCH

By Order

Private Secretary to the Dewan

9

This is a pseudonymous petition suggesting that ex officio members as well as any councillor or Municipal member over the meeting should not be permitted to vote at the election of Presidents & Vice Presidents may be deposited after perusal

RLR
2-9-30

Though the anonymity of the petitioners is not known, the suggestion

N B —Should routine notes be written on small slips the notes must be copied on slips pasted in this form

10

1421 of 30 P

1244

GRS III—3]

Routine Notes

[To be used only for notes requisitions etc not intended for permanent record]

To require the Salaries
Servants pertaining to
executions of Processes
and Writs of Processes
sent to such Courts
Commissioners to assess
such Salaries as
the Law Secy may think
proper the rules regarding
amount of such Costs at
meetings of Local Boards
are not applicable to
execution of Processes and
Writs of Processes The Law
Secy may be consulted
if necessary

65
Law

3

21/9/30 Gen. Secy)

3 9 30

1) Put up
P. Submit to Lawley 3/9/30 3 9 30

Law Secy)

2) I have no opinion to offer as the point is not clear.

L S 4/9/30

Note.—Should room be found for notes written on small slips the notes must be copied or slips pasted on this form

General and Revenue Secretariat | File No | of 193

Serial No

13 In connection with the election of Presidents & Vice Presidents of Dist Boards & Municipalities (other than Municipalities exempted) instructions have been issued that official members should not vote at the elections & that this does not however apply to the Dy Comrs or Municipal Secys presiding at the meetings of the Dt Bd or Municipalities under Section 17(2) of the Dist Boards Act & Section 23(5) of the Local Bodies Act respectively The

14 The suggestion now made is that official Members presiding at the elections of Presidents & Vice Presidents should be also required not to vote at such elections & the connection with the objection raised against the election of Mr D S Malalgoda as the President of the Kandyan Dt Bd, the Law Secy has noted that the rules regarding the conduct of business at meetings of local bodies are not applicable to election of Presidents & Vice Presidents and it is therefore proposed to amend the law to give effect to the question now under consideration

Vide G O No K-67) Min LB 114 29-10 & 29 5 30 & G O No L 852-9 Min 44 30 5 & 22) 30 tag S & B

under the rules for conduct of business at meetings of local Bodies the President is competent to vote but

Flag H + Articles 17 in notes LB 184-29-31

(WD 02563-G PB—50 000—8 31)

Apr 1929

File No 1044 of 193 | General and Revenue Secretariat

87/Genl

The offl Presats were not debarred from voting at election of Presats for the simple reason that the provisions of the Regns regarding conduct of meetings had to be observed and that there would be occasions for them to exercise a casting vote. As there is now the provisions of the Regns regarding conduct of business at meetings which include power to give casting vote will not apply to the election of Presats and Vice Presats, it is now proposed to debar offl Presats also from voting at these elections for the reason, if the Law Secy is requested as to whether the proposal referred to in the correspondence may be applied

BS 13/9/30 (Gen Secy)

Please submit 16/9/30 VS

Law Secy 23

Law Secy) 6/9/30 VS 17/9/30

W44

App I III—2]

General and Revenue Secretariat — File No 44 of 1930

Serial No

87

Law

OFFICE OF THE FIRST MEMBER OF COUNCIL
3 OCT 1930
No. 3544

If it is a question of policy by the administrative branches and in favour of the proposals, there seems to be no legal objection to your officer to it

Gen Secy & A/G Comp 1877

1st Member) 2 10 30

I see no reason to change the present rules -

CSG 14/10

17/10

The petitioners have not given their address and it is therefore necessary to give any communication to the petitioners the papers must be returned to the Law Secretariat for transmission of reference to the address to avoid delay as the decision of the

17/10 Gen Secy) 21 10 30

Note—Continue Sheet

WD 02 51—GPD—K 000—8 7 30

10/30

File No of 193

General and Revenue Secretariat

Mr Madhavarao

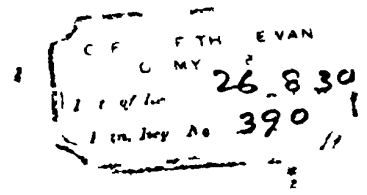
Are addresses of the petitioners available in the Devasthanam Office

Please inform us

17/10/30

Sorry no address is available from here

17/10



To

The Dewan of Mysore
Bangalore

Sir,

1 The Government of Mysore have passed a rule in their No L 852, 9Xml 44-30-5 of 22-7-30 directing that the official members nominated to Town and minor Municipal Councils should not vote at the election of Presidents and Vice-Presidents in future and also say that this does not apply to the Deputy Commissioners or Amildars presiding at the meeting of the Municipal Councils under Sec 23 (5) of the Mysore Municipal Regulation

2 While the former portion of the order is quite wholesome, the latter part allowing the Deputy Commissioners to vote appears to be not only opposed to the very principle required to be adopted by the Government but is also opposed to law

3 According to the rules passed by the Govt to regulate the election of the President of a town or minor Municipal Council, under sub-section (2) (c) of section 23 of the Mysore Municipal Regulation, (No L 3003 LL C7 27-1, of 6-11-27), the Deputy Commissioner who according to section 23 (5) performs the fuctions of the President during the interim period , does not preside at the election meeting as rule 4 says that " the councillors present on the day of election shall, for the purpose of presiding at the meetings select one from among themselves, who is not a

not a candidate," nor can the President have a casting vote in case of equality of votes, as according to rule 5 (b) lots have to be drawn in case of an equal number of votes

Section 17 (3) of the District Board Regulation expressly states that the Deputy Commissioner during the interim period ' shall take the place of the President and be an additional member of the Board' until such elected or nominated President enters on his duties while Section 23 (5) of the Municipal Regulation does not confer any such right on the Deputy Commissioner

Hence it is seen that it is equitable and just to issue definite instructions to say that the Deputy Commissioners or Amildars shall neither preside nor vote at the election meetings as the choce has to be made from among the members of the Council

------ooo------

M V Swapna
Md ale

OFFICE OF THE DEPUTY COMMISSIONER
BANGALORE DISTRICT,
BANGALORE DATED 17TH JULY 1930

D O No 62-6620/28-29

Rnl 44-30-3,

Dear Sir,

With reference to rules issued with Government Notification No 3056/M1 207-27-2 dated 26-11/27 regulating the conduct of election of the Vice President of a Town or Minor Municipal Council I write to state that from the rules it is not evident whether the Ex-Officio members including the President can Vote at such elections or not In this connection it has to be mentioned that in the old Election Rules issued with Government Notification No L 6342/M1 56-24-233 dated 28th February 1925 there is a clear Provision that no Councillor who is a Government Servant and no candidate nominated for the office shall take part in the ballot, unless the latter withdrawes his candidature in time But in letter No L 6411/M1 80-37-45 dated 12-4-29 from the General Secretary to Government regarding election of Mr Manigal Krishna Rao as Vice President of Magadi Town Municipal Council Government seem to view that the Ex-Officio members also can take part in the election of a non-official Vice President

During the recent reconstitution of the District Boards orders were issued directing that the Ex-Officio members should not vote at the Election of Presidents of District Boards concerned ~~with the intention that the Ex-Officio members should evince any party spirit in preferring one candidate to another.~~

In these circumstances I request you to kindly inform me by return of post as to whether there are any standing orders further elucidating the procedure; if not the instructions in the matter that may be issued to several Municipal Councils under reconstitution at present may be intimated

Yours Sincerely,

Subrahmanya Sastri Esq , B A

Assistant Secretary to the Government of Mysore,

General and Revenue Secretariat,

BANGALORE

D O No L 860 GENERAL AND REVENUE SECRETARIAT

Ene-one

Bangalore Dated 22/7/30 ~~192~~

Dear Sir,

Referring to your D O No C 2 -6620 dated 17th July 1930, enquiring whether the ex-officio Members of Municipal Councils may vote at the election of Presidents and Vice Presidents, I enclose herewith Government Order No.L 852-9 /M1 44-30-6 dated, the 22nd July 1930 passing orders in the matter

Yours sincerely,

22/7/30

Draft

To

H C Subba Rao, Esq., B A.,
Personal Assistant to the Deputy Commissioner,
Bangalore District

G R S VI G 34]

SUBJECT

A618

- *Diary No of letter replied to*

Section Nil
File No 44-32
Serial No 57

General and Revenue Secretariat

( )

, *the* 192

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue 22/7/30

Signed by M^r V S Sastri

Read—
order no L 852-9 dy 22 ...
Govt are pleased to direct that offices members nominated to Town & Municipal Councils, Standing Committees at the elections of ...

~~Order Thereon No~~
Presidents & Vice Presidents in future. The ... does not however ... apply to the by election ... the Standing ...

May this be

i Printed ?

i t eated as a stand ng o der ?

i i published in the Gazette
E gl sh Part ?

iv translated ?

v placed at the dispo al of the p e ?

vi p blsl ed in the Gazette
Kannada Pa t ?

proceedings at the meeting
of the Board under
section 23(5) of the Atomic
Energy Act

VB
22/7/30

VB
21/7/30

AS 21/7/30

to Secretary to Board

to the Dy Secretary for
communication to the
Officials concerned

List of enclosures

Copied by

Examined by

WD 1883—GPH—1 000 00—21 12 28

GRS III –31

Routine Notes.

[To be used only for notes requisitions etc not intended for permanent record.]

from among the members of the Council, have exercise his vote. At the date of election of the Vice President in the place of Sir Attavar Krishna I beg you will kindly refer me at your earliest convenience whether the Amildar presiding at the election of the Vice President in his capacity as Ex officio President of the Municipal Council can exercise his Vote

I once again beg that an early reply may kindly be sent

I beg to remain
Sir
your obedient servant
D Nagaraja Rao

Devanahalli
30/7/30

Address
D S Nagaraja Rao BSc
Municipal Council Member
& Hon Magistrate
Devanahalli

29
31/7/30

MU 44-30-9

To
The General Secretary to the Govt of Mysore
Bangalore

GEN 31 JUL 1930 MYSORE

Sir,

I beg to bring to your notice that some ambiguity has arisen in the recent Govt order directing official members nominated to municipal Councils not to participate in voting at the election of the President and Vice President. It is stated that this order is not applicable to Deputy Commissioners and Amildars as the case may be presiding over the Council's under Section 23 (5) of the Municipal Regulation. As the office of Vice President is not specifically mentioned in the Section 23 (5) above referred to, there seems some doubt whether, for instance, an Amildar presiding at the election of the Vice President

---

N B —Should routine requisitions be written on small slips the notes must be copied on standard sheets of this form

G R S III—3]

Routine Notes

[To be used only for notes requisitions etc not intended for permanent record]

\ *B* —Should routine notes be written on small slip the notes must be copied or slips pasted on this form

ML 44-30-14

No L 1227
dt 6/8/30

To

Mr D S Nagaraja Rao Bs C ,
Municipal Councillor
Devanahalli

Sir

With refererce to your letter dated 30th July 1930 enquiring if the Amildar President may vote at the meeting held for the election of the Vice President of the Municipal Council I am directed to state that Section 23 (5) of the Municipal Regulation does not apply to the Devannalli Municipal Council and the President has been instructed not to vote at the election of the Vice-President

Date of issue 6/8/30
Sdlg Mr V S Sastri

as the municipal council was not been given the privilege of having a non-official as its President

I have etc ,

DRAFT)
1 8 30
Gl Secry to Govt

Memo No L 1228 | 1 | 8 | 30
Dated Bangalore the 6th August 1930

Copy of the above is forwarded with compliments to the Deputy Commissioner Bangalore District for information and issue of necessary instructions to the Amildar ~~of~~ President of Devanahalli and other Presidents of municipal councils

By Order

DRAFT)
1 8 30
Gl Secry to Govt
1191 30

No 1229-35- dt 6/8/30
Copies to other Deputy Commrs for information

By Order,

DRAFT)
1 8 30
Gl Secry to Govt
1191 30

Mr
6/8/30